

THIRTY-SEVENTH DAY

(Monday, March 15, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Herzik
Adkins	Holland
Alexander	Howard
Alsup	Huddleston
Amos	Hull
Baker	Hyder
Bates	Jackson
Beckworth	Johnson of Ellis
Blankenship	Johnson
Boethel	of Tarrant
Bond	Jones of Angelina
Boyer	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	Kenyon
Cagle	Kern
Callan	King
Carssow	Knetsch
Celaya	Lankford
Cauthorn	Lanning
Cathy	Leath
Cleveland	Leonard
Colquitt	Leyendecker
Davis of Jasper	Little
Davison of Fisher	Loggins
Davison	London
of Eastland	Lucas
Dean	Mann
Deglandon	Mauritz
Derden	Mays
Dickison	McConnell
Dollins	McCracken
England	McDonald
Farmer	McFarland
Felty	McKee
Fielden	McKinney
Fox	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Hardin	Oliver
Harper	Palmer
Harrell	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Petsch
Hartzog	Pope
Heflin	Powell

Prescott	Smith of Hopkins
Quinn	Smith of Tarrant
Ragsdale	Stevenson
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tarwater
Riddle	Tennant
Roark	Tennyson
Ross	Thornton
Russell	Thornberry
Rutta	Vale
Schuenemann	Waggoner
Settle	Walker
Sewell	Weldon
Sharpe	Westbrook
Shell	Wood
Simpson	Worley
Skaggs	

Absent

Harbin

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Hoskins	of Matagorda
James	Winfree

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Harris of Archer for today, on motion of Mr. Tennyson.

Mr. Hoskins for today, on motion of Mr. Burton.

The following Members were granted leaves of absence on account of illness:

Mr. Davis of Haskell for today, on account of illness in his family, on motion of Mr. Fuchs.

Mr. Winfree for today, on motion of Mr. McCracken.

Mr. Bell for today, on motion of Mr. Jones of Wise.

Mr. Smith of Matagorda for today, on motion of Mr. Bradbury.

Mr. Langdon for today, on account of a death in his family, on motion of Mr. Roark.

Mr. James for today, on motion of Mr. Johnson of Ellis.

HOUSE BILLS ON FIRST READING

Mr. Burton moved to introduce, at this time, and have placed on first reading, House Bill No. 992.

The motion prevailed by the following vote:

Yeas—117

Adkins	Lankford
Alexander	Lanning
Alsup	Leath
Amos	Leonard
Baker	Leyendecker
Bates	Little
Blankenship	Loggins
Boethel	London
Bond	Lucas
Boyer	Mann
Bradbury	Mauritz
Bradford	Mays
Bridgers	McConnell
Brown	McCracken
Burton	McDonald
Callan	McFarland
Carsow	McKee
Cauthorn	McKinney
Cleveland	Moffett
Colquitt	Monkhouse
Davison of Fisher	Morris
Dean	Morse
Deglandon	Newton
Derden	Palmer
Dickison	Patterson of Mills
England	Patterson
Farmer	of Travis
Felty	Powell
Fielden	Prescott
Fox	Ragsdale
Fuchs	Reader
Hamilton	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Hardin	Riddle
Harper	Roark
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Hartzog	Sewell
Heflin	Shell
Herzik	Simpson
Holland	Skaggs
Huddleston	Smith of Hopkins
Hull	Smith of Tarrant
Hyder	Stevenson
Jackson	Stinson
Johnson of Ellis	Stocks
Johnson	Talbert
of Tarrant	Tennant
Jones of Angelina	Tennyson
Jones of Atascosa	Thornberry
Jones of Falls	Thornton
Jones of Wise	Vale
Keefe	Walker
Keith	Weldon
Kelt	Westbrook
Kenyon	Worley
Knetsch	

Absent

Beckworth	Kern
Broadfoot	King
Cagle	Metcalfe
Cathey	Nicholson
Celaya	Oliver
Davis of Jasper	Petsch
Davisson	Pope
of Eastland	Quinn
Dollins	Ross
Gibson	Sharpe
Graves	Tarwater
Harbin	Waggoner
Howard	Wood

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Hoskins	of Matagorda
James	Winfree

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Burton:

H. B. No. 992, A bill to be entitled "An Act providing for trials of the contest of local option elections held pursuant to the terms of the Liquor Control Act; providing the time and manner in which such local option elections may be contested; prescribing the effect to be given the judgment of the courts in which said election is contested, and providing further that when no contest is filed within the time and the manner herein provided, that the legality of the election shall be conclusively presumed and shall be binding upon all courts, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

Mr. Knetsch moved to introduce, at this time, and have placed on first reading, House Bill No. 993.

The motion prevailed by the following vote:

Yeas—122

Adkins	Bradbury
Alexander	Bradford
Alsup	Bridgers
Amos	Broadfoot
Baker	Brown
Bates	Burton
Beckworth	Cagle
Blankenship	Callan
Boethel	Carsow
Bond	Cathey
Boyer	Cauthorn

Cleveland	McCracken
Colquitt	McDonald
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	McKinney
Dean	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Hamilton	of Travis
Hanna	Powell
Hardin	Prescott
Harper	Quinn
Harris of Dallas	Ragsdale
Harris of Dickens	Reader
Hartzog	Reed of Bowie
Heflin	Reed of Dallas
Herzik	Rhodes
Huddleston	Riddle
Hull	Roark
Hyder	Ross
Jackson	Russell
Johnson of Ellis	Rutta
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Atascosa	Shell
Jones of Falls	Simpson
Jones of Wise	Skaggs
Keith	Smith of Hopkins
Kelt	Smith of Tarrant
Kenyon	Stevenson
King	Stinson
Knetsch	Stocks
Lankford	Talbert
Lanning	Tennant
Leonard	Tennyson
Leyendecker	Thornton
Little	Vale
Loggins	Waggoner
London	Walker
Lucas	Weldon
Mann	Westbrook
Mauritz	Wood
Mays	Worley
McConnell	

Absent

Celaya	Keefe
Davis of Jasper	Kern
Dollins	Leath
Gibson	Oliver
Graves	Petsch
Hankamer	Pope
Harbin	Sharpe
Harrell	Tarwater
Holland	Thornberry
Howard	

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Knetsch:

H. B. No. 993, A bill to be entitled "An Act providing for the trial and commitment to State Hospitals for the Insane of persons found upon trial to have been insane at the time of the commission of the act, as well as at the time of the trial of such person; providing for the discharge of persons tried for crime if found to have been insane at the time of the commission of the offense and sane at the time of the trial; providing for the commitment of such persons to a State Hospital for the Insane if found to be sane at the time of the commission of the offense but insane at the time of the trial of such persons; providing for the trial of persons charged with crime who were sane at the time of the commission of the crime but insane upon the trial of their case, having been committed to a State Hospital for the insane and later found to have regained their sanity, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Jones of Atascosa moved to introduce, at this time, and have placed on first reading, House Bill No. 994.

The motion prevailed by the following vote:

Yeas—120

Adkins	Callan
Alexander	Carssow
Alsup	Cathey
Amos	Cauthorn
Baker	Cleveland
Bates	Colquitt
Beckworth	Davis of Jasper
Blankenship	Davison of Fisher
Boethel	Davisson
Bond	of Eastland
Boyer	Dean
Bradbury	Deglandon
Bradford	Derden
Bridgers	Dickison
Broadfoot	Dollins
Burton	England
Cagle	Farmer

Felty	Moffett
Fielden	Monkhouse
Fox	Morris
Fuchs	Morse
Gibson	Nicholson
Graves	Oliver
Hamilton	Patterson of Mills
Hanna	Patterson
Hardin	of Travis
Harper	Petsch
Harris of Dallas	Pope
Harris of Dickens	Powell
Hartzog	Prescott
Heflin	Quinn
Herzik	Reed of Bowie
Huddleston	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
Jackson	Roark
Johnson of Ellis	Ross
Johnson	Russell
of Tarrant	Rutta
Jones of Angelina	Schuenemann
Jones of Atascosa	Settle
Jones of Falls	Sewell
Jones of Wise	Shell
Keith	Simpson
Kelt	Skaggs
Kenyon	Smith of Hopkins
King	Smith of Tarrant
Knetsch	Stevenson
Lankford	Stinson
Lanning	Stocks
Leyendecker	Talbert
Little	Tennant
Loggins	Tennyson
London	Thornton
Lucas	Vale
Mann	Waggoner
Mays	Walker
McConnell	Weldon
McCracken	Westbrook
McDonald	Wood
McKee	Worley
Metcalf	

Absent

Brown	Mauritz
Celaya	McFarland
Hankamer	McKinney
Harbin	Newton
Harrell	Palmer
Holland	Ragsdale
Howard	Reader
Keefe	Sharpe
Kern	Tarwater
Leath	Thornberry
Leonard	

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Jones of Atascosa:

H. B. No. 994, A bill to be entitled "An Act to change and fix the time of holding the terms of courts and the number of weeks in the terms of courts of the Eighty-first Judicial District of the State of Texas, to provide for the time when this Act shall take effect, to make all process heretofore issued, as well as bonds and recognizances heretofore entered into, conform thereto, to provide that the grand and petit jurors drawn and selected under existing laws in any of the counties of said Eighty-first Judicial District shall be considered legally drawn and selected for the term of the district court of their respective counties, held after this Act takes effect, and providing that this Act takes effect on August 1st, 1937; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judicial Districts.

EXPRESSING APPRECIATION TO THE HOUSE

The Speaker laid before the House and had read the following communication:

331 College Avenue.

Fort Worth, Texas

March 12, 1937.

Hon. R. W. Calvert, Speaker, House of Representatives,

Austin, Texas

Dear Mr. Calvert:

My sister and brothers join me in extending to you and through you to the House of Representatives our profound appreciation of the passage of H. S. R. No. 125 on the death of our beloved father.

Since his membership in the 39th Legislature he had cherished that opportunity of service to his State and it is indeed a comfort to us to see that unselfish service recognized by your honorable body.

Please allow us to thank you and Mrs. Phinney personally for your gracious favor of sending us copies of the resolution. If not asking too much, we would appreciate three more copies.

With assurances of the highest per-

sonal regards of our entire family, I am

Very sincerely yours,
VADNA COODY.

MEMORIALIZING CONGRESS IN REGARD TO TAX ON OIL

Mr. Roark offered the following resolution:

H. C. R. No. 60, Memorializing Congress in regard to tax on oil.

Whereas, The State of Texas is the largest oil producing State in these United States; and

Whereas, Approximately 85% of the oil produced within this State eventually is exported in interstate and foreign commerce; and

Whereas, Such oil, when stored and awaiting such exportation, formerly comprised a large source of taxable value for State and County ad valorem tax purposes; and

Whereas, The Supreme Court of the United States, in the T. & N. O. Railway Company vs. Sabine Tram Company case, and in the Carson Petroleum Company vs. Vial case, reported in 279 U. S. 95, has held that such oil in storage does not have a situs for the purpose of taxation by the State and County and other political subdivisions on January 1 of any year, and that such ad valorem taxation would constitute a burden on interstate commerce; and

Whereas, This decision, and its effect on taxable values within this State and the counties thereof, has served to deprive the State and counties of much needed revenue from ad valorem taxation; therefore, be it

Resolved by the House of Representatives of the Forty-fifth Legislature, the Senate concurring, That the Congress of the United States be, and the same is hereby requested to pass legislation in some form enabling the States and their political subdivisions to tax oil, or other minerals which have been mined and stored above ground awaiting eventual movement in interstate commerce, on some fair basis, such as the value of the average daily amount of oil in storage within a political subdivision during the previous year; and, be it further

Resolved, That a copy of this resolution be forwarded to each of the United States Senators and Congressmen from Texas, and that we do urge them to sponsor and seek the early passage of such legislation.

The resolution was read second time.

Mr. Harris of Dallas moved that the resolution be referred to the Committee on Oil, Gas and Mining.

The motion to refer the resolution was lost.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—103

Adkins	Keefe
Alexander	Keith
Alsup	Kelt
Amos	Kern
Baker	King
Bates	Knetsch
Beckworth	Lankford
Blankenship	Lanning
Boethel	Leyendecker
Bond	Loggins
Bradbury	London
Brown	Lucas
Burton	Mays
Cagle	McConnell
Callan	McDonald
Carssow	McFarland
Cathey	Metcalfe
Cauthorn	Moffett
Cleveland	Monkhouse
Davis of Jasper	Morris
Davison of Fisher	Newton
Dean	Oliver
Deglandon	Patterson of Mills
Derden	Patterson
Dickison	of Travis
Dollins	Powell
England	Prescott
Farmer	Quinn
Felty	Ragsdale
Fielden	Reed of Bowie
Fox	Reed of Dallas
Fuchs	Rhodes
Gibson	Riddle
Graves	Roark
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Hardin	Schuenemann
Harper	Settle
Harris of Dickens	Sewell
Hartzog	Simpson
Holland	Skaggs
Huddleston	Smith of Tarrant
Hull	Stocks
Hyder	Talbert
Jackson	Tarwater
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Waggoner
Jones of Angelina	Weldon
Jones of Atascosa	Westbrook
Jones of Falls	Wood
Jones of Wise	

Nays—18

Boyer	Mauritz
Bridgers	Morse
Broadfoot	Palmer
Colquitt	Pope
Harris of Dallas	Smith of Hopkins
Heflin	Stinson
Kenyon	Tennant
Little	Thornton
Mann	Walker

Present—Not Voting

Herzik

Absent

Bradford	McKee
Celaya	McKinney
Davisson	Nicholson
of Eastland	Petsch
Harbin	Reader
Harrell	Sharpe
Howard	Shell
Leath	Stevenson
Leonard	Vale
McCracken	Worley

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

RELATIVE TO RESOLUTION PERIOD

Mr. Morris moved that the House dispense with further consideration of resolutions at this time.

Question recurring on the motion by Mr. Morris, yeas and nays were demanded.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—79

Amos	Davison of Fisher
Baker	Deglandon
Bates	Derden
Beckworth	Dickson
Blankenship	Dollins
Boethel	England
Bond	Farmer
Bradbury	Felty
Bradford	Fielden
Broadfoot	Fox
Burton	Fuchs
Cagle	Graves
Callan	Hamilton
Cleveland	Harbin
Davis of Jasper	Harrell
Davisson	Harris of Dickens
of Eastland	Heflin

Holland	Palmer
Huddleston	Patterson of Mills
Jackson	Patterson
Johnson of Ellis	of Travis
Jones of Angelina	Petsch
Jones of Wise	Powell
Keefe	Prescott
Keith	Quinn
Kern	Reader
King	Reed of Dallas
Lankford	Rhodes
Loggins	Roark
London	Ross
Lucas	Russell
Mays	Smith of Hopkins
McConnell	Stinson
McDonald	Stocks
McFarland	Tarwater
Metcalfe	Tennant
Moffett	Thornberry
Monkhouse	Waggoner
Morris	Weldon
Newton	Westbrook
Oliver	

Nays—49

Adkins	Leonard
Alexander	Leyendecker
Alsup	Little
Boyer	Mann
Bridgers	Mauritz
Carssow	McCracken
Cathey	McKee
Cauthorn	McKinney
Colquitt	Morse
Gibson	Nicholson
Hankamer	Reed of Bowie
Hanna	Riddle
Harper	Rutta
Harris of Dallas	Settle
Hartzog	Sewell
Hull	Sharpe
Hyder	Simpson
Johnson	Skaggs
of Tarrant	Smith of Tarrant
Jones of Atascosa	Talbert
Jones of Falls	Tennyson
Kelt	Thornton
Kenyon	Walker
Knetsch	Wood
Lanning	Worley

Present—Not Voting

Herzik

Absent

Brown	Pope
Celaya	Ragsdale
Dean	Schuenemann
Hardin	Shell
Howard	Stevenson
Leath	Vale

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

GRANTING A. S. MOSS PERMISSION TO BE ABSENT FROM THE STATE

Mr. Alexander offered the following resolution:

H. C. R. No. 66, Granting Judge A. S. Moss permission to be absent from the State.

Be It Resolved by the House of Representatives of the State of Texas and the Senate concurring, That the Hon. A. S. Moss, District Judge of the 100th Judicial District be, and is hereby, granted permission to leave the State at such times as it may be necessary or convenient for him to do so, and when such departure from the State will not impede the business of his Court.

The resolution was read second time, and was adopted.

PROVIDING FOR CERTAIN INVESTIGATING COMMITTEE

Mr. Cathey offered the following resolution:

Whereas, It has been brought to the attention of Members of this House; and

Whereas, It is openly charged on the outside and on the inside that there are men working in the different Departments of State drawing their own salary; and

Whereas, It is being openly charged that there are numerous men whose wives are working in the same Department or in some other Departments of State, drawing their salaries under their maiden name and endorsing their checks in their maiden name; and

Whereas, This is a violation of the law and is contrary to the rules of this Government; and

Whereas, There are thousands of worthy and well qualified men and women who have dependents depending on them for their bread and meat and clothing and the education of their children; and

Whereas, Many thousands of them are unable to procure any kind of employment; now, therefore, be it

Resolved by this House, That there be appointed a committee of five Members by the Speaker of this House and that said committee be vested with authority to administer the oath and to summon the heads of all Departments of State together with heads of subdivisions of said Department and to bring all records, in order to determine the truthfulness of these charges and that it be the duty of the Sergeant-at-Arms to furnish an Assistant Sergeant-at-Arms who shall be clothed with the authority to summons all witnesses that might be subpoenaed under the provisions of this resolution and to report the same back at the earliest possible hour to this Legislature.

The resolution was read second time.

Mr. Metcalfe offered the following amendment to the resolution:

Amend the resolution, by striking out the words: "at the earliest possible hour" and insert in lieu thereof "not later than May 1, 1937".

The amendment was adopted.

Question recurring on the resolution, as amended, it was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 193 and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators: Winfield, Head, Stone, Spears and Westerfeld.

And has passed

S. C. R. No. 15, Resolved, That the Legislative petition Members of Congress to vote against the approval of the St. Lawrence-Great Lakes Waterway treaty between United States and Cadana, etc.

H. B. No. 100, A bill to be entitled "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to

pay the salaries and other expenses of the inspection work incident to the eradication of the Pink Bollworm under the provisions of Chapter 3, Title 4, Revised Civil Statutes of Texas, 1925, known as the Pink Bollworm Law, and amendments thereto, and declaring an emergency."

H. B. No. 101, A bill to be entitled "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Mexican Fruit Fly, Citrus Canker, and other pests, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

REQUEST OF SENATE GRANTED

On motion of Mr. Bradford, the House granted the request of the Senate for the appointment of a conference committee to adjust the differences between the House and Senate, on Senate Bill No. 193.

HOUSE BILL NO. 4 ON SECOND READING

Mr. Jones of Wise moved that the regular order of business be suspended, at this time, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act providing a title for the Act; providing for the imposition of a franchise tax; providing that certain corporations shall be exempt from the Act but requiring the exemption to be proven by the claimant; and repealing all existing exemptions or special credits; providing definitions for certain words, terms and phrases; providing certain deductions in computing net income; providing certain unallowable deductions; providing a method of computing the net income of insurance corporations; providing for the use of fiscal or calendar accounting periods; providing for the filing of returns by taxpayers; providing for the computation of the tax of new corporations; providing for

the use of inventories in determining net income; providing a basis for ascertaining gain or loss either from sale, exchange or other disposition of property; providing procedure relative to installment sales; providing for the computation of a minimum tax; providing methods of allocating the net income and minimum tax base of a corporation; providing that Secretary of State shall have power to determine income or assets in special cases; . . . etc., and declaring an emergency."

The motion prevailed by the following vote:

Yeas—76

Alsup	Lanning
Amos	Leath
Baker	Leyendecker
Bates	Loggins
Beckworth	London
Boethel	Lucas
Bond	Mann
Bradbury	Mauritz
Broadfoot	Mays
Brown	McConnell
Burton	Metcalf
Callan	Moffett
Cathey	Monkhouse
Cleveland	Morris
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davison	Patterson of Mills
of Eastland	Patterson
Deglandon	of Travis
Derden	Petsch
England	Powell
Fielden	Prescott
Fuchs	Ragsdale
Graves	Rhodes
Hamilton	Roark
Harper	Ross
Harrell	Russell
Herzik	Rutta
Holland	Sewell
Huddleston	Simpson
Jones of Angelina	Skaggs
Jones of Wise	Smith of Hopkins
Keefe	Stocks
Keith	Talbert
Kelt	Tarwater
Kern	Thornberry
King	Weldon
Knetsch	Westbrook
Lankford	Worley

Nays—58

Adkins	Bridgers
Alexander	Carssow
Blankenship	Cauthorn
Boyer	Celaya
Bradford	Colquitt

Dickison	McFarland
Dollins	McKee
Farmer	McKinney
Felty	Morse
Fox	Newton
Gibson	Nicholson
Hankamer	Pope
Hanna	Reader
Hardin	Reed of Bowie
Harris of Dallas	Reed of Dallas
Hartzog	Riddle
Heflin	Schuenemann
Howard	Settle
Hull	Sharpe
Hyder	Smith of Tarrant
Jackson	Stevenson
Johnson of Ellis	Stinson
Johnson	Tennant
of Tarrant	Tennyson
Jones of Falls	Thornton
Kenyon	Vale
Leonard	Waggoner
Little	Walker
McCracken	Wood
McDonald	

Present—Not Voting

Dean	Quinn
Jones of Atascosa	

Absent

Cagle	Harris of Dickens
Harbin	Shell

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

PAIRED

Mr. Dean (present), who would vote "nay", with Mr. Bell (absent), who would vote "yea".

Mr. Jones of Atascosa (present), who would vote "nay", with Mr. Langdon (absent), who would vote "yea".

The Speaker then laid House Bill No. 4 before the House, and it was read second time.

Mr. Carssow offered the following amendment to the bill:

Amend House Bill No. 4 at Section No. 3, exemptions:

(a) So as to hereafter read as follows:

"The tax provided for under this Act shall not apply to any corporation organized solely for religious, charitable, scientific, educational, literary or

civic purposes, if its organization or activities are not designed for and do not result in financial or pecuniary gain or profit to the stockholders or members thereof; nor to fraternal benefit societies with a lodge system and representative form of government conducted not for profit. The burden of proving an exemption from the provisions of this Act shall rest upon the corporation, and until such exemption is proven no exemption shall be allowed."

CARSSOW,
HARTZOG.

Mr. Keith offered the following amendment to the amendment:

Amend amendment, by adding thereto, at the end of the first sentence thereof, a semi-colon instead of a period and the following words: "nor shall it apply to any corporation organized under an Act of the Congress of the United States or of the Legislature of this State and being an instrumentality of the United States Government or of the State of Texas."

The amendment was adopted.

The amendment, as amended, was adopted.

Mr. Keith offered the following amendment to the bill:

Amend House Bill No. 4, page 21, by striking therefrom Section 14, and inserting in lieu thereof a new Section 14, as follows:

"Section 14. Computation of taxes. Each organization subject to the provisions of this Act shall pay for the privilege of exercising its franchise in this State the tax imposed under the provisions of Section 2 of this Act. In no case shall such tax be less than Ten (\$10.00) Dollars."

Mr. King offered the following substitute for the amendment by Mr. Keith:

Amend House Bill 4, by striking out the words "one tenth of one percent" appearing in Section 14, line 34, page 21, and substituting in lieu thereof, the words "one twentieth of one percent".

The substitute amendment was adopted.

The amendment, as substituted, was adopted.

Mr. McCracken offered the following amendment to the bill:

Amend House Bill No. 4, by striking out line six (6) on page two (2).

Mr. Jones of Wise moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—65

Adkins	Lanning
Alsup	Leath
Amos	Loggins
Baker	London
Bates	Lucas
Beckworth	Mauritz
Boethel	Mays
Bradbury	McConnell
Broadfoot	Metcalf
Brown	Moffett
Burton	Morris
Cagle	Oliver
Callan	Palmer
Cleveland	Patterson
Davis of Jasper	of Travis
Davison of Fisher	Petsch
Deglandon	Powell
Derden	Prescott
England	Quinn
Farmer	Ragsdale
Fielden	Rhodes
Graves	Roark
Hamilton	Ross
Harper	Rutta
Holland	Simpson
Huddleston	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Wise	Stocks
Keefe	Talbert
Kelt	Thornberry
Kern	Weldon
King	Westbrook
Lankford	Worley

Nays—68

Alexander	Harrell
Blankenship	Harris of Dallas
Bond	Harris of Dickens
Boyer	Hartzog
Bradford	Heflin
Bridgers	Howard
Carssow	Hull
Cathey	Hyder
Cauthorn	Jackson
Celaya	Johnson of Ellis
Colquitt	Johnson
Dickison	of Tarrant
Dollins	Jones of Falls
Felty	Keith
Fox	Kenyon
Gibson	Knetsch
Hankamer	Leonard
Hanna	Leyendecker
Harbin	Little
Hardin	Mann

McCracken	Sewell
McDonald	Sharpe
McFarland	Shell
McKee	Smith of Tarrant
McKinney	Stevenson
Morse	Stinson
Newton	Tarwater
Nicholson	Tennant
Pope	Tennyson
Reed of Bowie	Thornton
Reed of Dallas	Vale
Riddle	Waggoner
Russell	Walker
Schuenemann	Wood
Settle	

Present—Not Voting

Dean	Jones of Atascosa
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Absent

Davisson	Monkhouse
of Eastland	Patterson of Mills
Fuchs	Reader
Herzik	

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

PAIRED

Mr. Jones of Atascosa (present), who would vote "yea", with Mr. Langdon (absent), who would vote "nay".

Mr. Dean (present), who would vote "nay", with Mr. Bell (absent), who would vote "yea".

Question recurring on the amendment by Mr. McCracken, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas, 68; nays, 68.

Mr. Farmer requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—65

Alexander	Dickison
Blankenship	Dollins
Bond	Felty
Boyer	Fox
Bradford	Gibson
Bridgers	Hankamer
Carssow	Hanna
Cauthorn	Harbin
Celaya	Hardin
Colquitt	Harrell

Harris of Dallas	McKinney
Harris of Dickens	Morse
Hartzog	Newton
Heflin	Nicholson
Howard	Pope
Hull	Reed of Bowie
Hyder	Reed of Dallas
Jackson	Riddle
Johnson of Ellis	Schuenemann
Johnson	Settle
of Tarrant	Sewell
Jones of Falls	Sharpe
Keith	Shell
Kenyon	Smith of Tarrant
Knetsch	Stevenson
Leonard	Stinson
Leyendecker	Tennant
Little	Tennyson
Mann	Thornton
McCracken	Vale
McDonald	Waggoner
McFarland	Walker
McKee	Wood

Nays—69

Adkins	Lanning
Alsup	Leath
Amos	Loggins
Baker	London
Bates	Lucas
Beckworth	Mauritz
Boethel	Mays
Bradbury	McConnell
Broadfoot	Metcalfe
Brown	Moffett
Burton	Morris
Cagle	Oliver
Callan	Palmer
Cathey	Patterson of Mills
Cleveland	Patterson
Davis of Jasper	of Travis
Davison of Fisher	Petsch
Deglandon	Powell
Derden	Prescott
England	Quinn
Farmer	Rhodes
Fielden	Roark
Fuchs	Ross
Graves	Russell
Hamilton	Rutta
Harper	Simpson
Holland	Skaggs
Huddleston	Smith of Hopkins
Jones of Angelina	Stocks
Jones of Wise	Talbert
Keefe	Tarwater
Kelt	Thornberry
Kern	Weldon
King	Westbrook
Lankford	Worley

Present—Not Voting

Dean Jones of Atascosa

Absent

Davisson	Monkhouse
of Eastland	Ragsdale
Herzik	Reader

Absent—Excused

Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree
James	

PAIRED

Mr. Dean (present), who would vote "yea", with Mr. Bell (absent), who would vote "nay".

Mr. Jones of Atascosa (present), who would vote "nay", with Mr. Langdon (absent), who would vote "yea".

The Speaker announced that the amendment was lost.

Question—Shall House Bill No. 4 pass to engrossment?

RECESS

Mr. Harris of Dallas moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Mays moved that the House recess to 2:00 o'clock p. m., today.

Mr. Keefe moved that the House recess to 2:30 o'clock p. m., today.

Question first recurring on the motion by Mr. Harris of Dallas, it was lost.

Question next recurring on the motion by Mr. Mays, it was lost.

Question then recurring on the motion by Mr. Keefe, it prevailed, and the House, accordingly, at 12:40 o'clock p. m., took recess to 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Adkins was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Jones of Falls.

HOUSE BILL NO. 101 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 101, A bill to be entitled "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Mexican Fruit Fly, Citrus Canker, and other pests, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Leonard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 418, A bill to be entitled "An Act making appropriation out of the General Fund of the State of Texas to pay the salaries and expenses of the District Attorney of the 30th Judicial District and the Assistant District Attorney for Archer and Young Counties in the 30th Judicial District, from January 1, 1937, to the end of the fiscal year, August 31, 1937, both days inclusive, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 4 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 4, relative to imposing a franchise tax on certain corporations, on its passage to engrossment.

The bill having been read second time on this morning.

Mr. McKinney moved to table House Bill No. 4.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas, 63; nays, 63.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—63

Alexander	Kenyon
Alsup	Knetsch
Blankenship	Leonard
Bond	Little
Boyer	Mann
Bradford	McCracken
Bridgers	McDonald
Carssow	McFarland
Cauthorn	McKee
Celaya	McKinney
Colquitt	Monkhouse
Dickison	Morse
Dollins	Nicholson
Felty	Reader
Fox	Reed of Bowie
Gibson	Reed of Dallas
Hankamer	Riddle
Hanna	Schuenemann
Harbin	Settle
Hardin	Sewell
Harrell	Sharpe
Harris of Dallas	Shell
Harris of Dickens	Smith of Tarrant
Hartzog	Stevenson
Heflin	Stinson
Hull	Tennant
Hyder	Tennyson
Jackson	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker
Keith	Wood

Nays—67

Amos	Fuchs
Baker	Graves
Bates	Hamilton
Beckworth	Harper
Boethel	Herzik
Bradbury	Holland
Broadfoot	Huddleston
Brown	Jones of Angelina
Burton	Jones of Falls
Cagle	Jones of Wise
Callan	Keefe
Cleveland	Kelt
Davis of Jasper	Kern
Davison of Fisher	King
Deglandon	Lankford
Derden	Lanning
England	Leath
Farmer	Leyendecker
Fielden	Loggins

London	Ragsdale
Lucas	Rhodes
Mays	Roark
McConnell	Ross
Metcalfe	Russell
Moffett	Rutta
Morris	Simpson
Oliver	Skaggs
Palmer	Smith of Hopkins
Patterson of Mills	Stocks
Patterson	Talbert
of Travis	Thornberry
Powell	Weldon
Prescott	Westbrook
Quinn	Worley

Present—Not Voting

Dean	Jones of Atascosa
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Absent

Cathey	Newton
Davisson	Petsch
of Eastland	Pope
Howard	Tarwater
Mauritz	

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

PAIRED

Mr. Dean (present), who would vote "yea", with Mr. Bell (absent), who would vote "nay".

Mr. Jones of Atascosa (present), who would vote "yea", with Mr. Langdon (absent), who would vote "nay".

The Speaker announced that the motion to table was lost.

Mr. McDonald submitted the following motion:

I move to postpone House Bill No. 4 to 10:00 a. m., next April 15.

Mr. Johnson of Ellis moved, as a substitute motion, that further consideration of House Bill No. 4 be postponed until 10:00 o'clock a. m., May 10, 1937.

Mr. Jones of Wise moved to table the substitute motion.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70

Amos	Beckworth
Baker	Boethel
Bates	Bradbury

Broadfoot	London
Brown	Lucas
Burton	Mauritz
Callan	Mays
Cleveland	McConnell
Davis of Jasper	McDonald
Davison of Fisher	Metcalfe
Davisson	Moffett
of Eastland	Morris
Deglandon	Oliver
Derden	Palmer
England	Patterson of Mills
Farmer	Patterson
Fielden	of Travis
Fox	Powell
Fuchs	Prescott
Graves	Quinn
Hamilton	Ragsdale
Harper	Rhodes
Harris of Dickens	Roark
Herzik	Ross
Holland	Russell
Huddleston	Rutta
Jones of Angelina	Simpson
Jones of Wise	Skaggs
Keefe	Smith of Hopkins
Kelt	Stocks
Kern	Talbert
King	Tarwater
Lankford	Thornberry
Lanning	Weldon
Leath	Westbrook
Loggins	Worley

Nays—65

Alexander	Johnson
Alsup	of Tarrant
Blankenship	Jones of Falls
Bond	Keith
Boyer	Kenyon
Bradford	Knetsch
Bridgers	Leonard
Cagle	Leyendecker
Carssow	Little
Cauthorn	Mann
Celaya	McCracken
Colquitt	McFarland
Dickison	McKee
Dollins	McKinney
Felty	Monkhouse
Gibson	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Pope
Hardin	Reader
Harrell	Reed of Bowie
Harris of Dallas	Reed of Dallas
Hartzog	Riddle
Heflin	Schuenemann
Hull	Settle
Hyder	Sewell
Jackson	Sharpe
Johnson of Ellis	Shell

Smith of Tarrant	Thornton
Stevenson	Vale
Stinson	Waggoner
Tennant	Walker
Tennyson	Wood

Present—Not Voting

Dean	Jones of Atascosa
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Absent

Cathey	Petsch
Howard	

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

PAIRED

Mr. Jones of Atascosa (present), who would vote "nay", with Mr. Langdon (absent), who would vote "yea".

Mr. Dean (present), who would vote "nay", with Mr. Bell (absent), who would vote "yea".

Mr. Derden moved to table the motion by Mr. McDonald.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas, 69; nays, 65.

Mr. Celaya requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—71

Amos	Fielden
Baker	Fox
Bates	Fuchs
Beckworth	Graves
Boethel	Hamilton
Bradbury	Harper
Broadfoot	Herzik
Brown	Holland
Burton	Huddleston
Callan	Jones of Angelina
Cathey	Jones of Wise
Cleveland	Keefe
Davis of Jasper	Kelt
Davison of Fisher	Kern
Davisson	King
of Eastland	Knetsch
Deglandon	Lankford
Derden	Lanning
England	Leath
Farmer	Leyendecker

Loggins	Ragsdale
London	Rhodes
Lucas	Roark
Mauritz	Ross
Mays	Russell
McConnell	Rutta
Metcalfe	Simpson
Moffett	Skaggs
Morris	Smith of Hopkins
Oliver	Stocks
Palmer	Talbert
Patterson of Mills	Tarwater
Patterson	Thornberry
of Travis	Weldon
Powell	Westbrook
Prescott	Worley
Quinn	

Nays—65

Alexander	Keith
Alsup	Kenyon
Blankenship	Leonard
Bond	Little
Boyer	McCracken
Bradford	McDonald
Bridgers	McFarland
Cagle	McKee
Carssow	McKinney
Cauthorn	Monkhouse
Celaya	Morse
Colquitt	Newton
Dickison	Nicholson
Dollins	Pope
Felty	Reader
Gibson	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Riddle
Harbin	Schuenemann
Hardin	Settle
Harrell	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Smith of Tarrant
Heflin	Stevenson
Howard	Stinson
Hull	Tennant
Hyder	Tennyson
Jackson	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker
Jones of Falls	Wood

Present—Not Voting

Dean	Jones of Atascosa
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Absent

Mann	Petsch
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Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

PAIRED

Mr. Dean (present), who would vote "nay", with Mr. Bell (absent), who would vote "yea".

Mr. Jones of Atascosa (present), who would vote "nay", with Mr. Langdon (absent), who would vote "yea".

The Speaker announced that the motion to table prevailed.

Mr. Harris of Dallas offered the following amendment to the bill:

Amend House Bill No. 4, Section 5, pages 7 and 8 of the printed bill, by striking out all of Subdivision (i) of said Section No. 5, and inserting in lieu thereof the following:

"(i) In the case of a Building and Loan Association, organized and operating wholly or partly on a mutual plan, the dividends accrued, paid, credited, or apportioned to the withdrawable shares of such association."

The amendment was adopted.

Mr. Bradbury offered the following amendment to the bill:

Amend House Bill No. 4, by providing that revenues derived from this Act shall be allocated $\frac{1}{2}$ to the General Revenue and $\frac{1}{2}$ to the Texas Old Age Assistance Fund.

BRADBURY,
FIELDEN,
HARBIN.

The amendment was adopted.

Mr. Farmer moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Keith offered the following amendment to the bill:

Amend House Bill No. 4, Section 5, Subsection (c), by striking therefrom the following words: "... and other than taxes on or according to or measured by income or profits paid or accrued within the income year imposed by the authority of (1) the Government of the United States or any foreign country, (2) any state, territory, county, city, and county, school district, municipality, or other taxing subdivision of any state or territory."

The amendment was adopted.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 4, by adding the following at the end of Section 14 on page 22:

"Provided, however, that corporations now required to pay annually a tax on their intangible assets as provided in Article 7105 of the Revised Statutes of 1925, as amended by Section 12 of House Bill No. 154 of the Regular Session of the Forty-third Legislature, shall be required to pay only one-fifth of the tax as computed under this section, and further provided that this credit shall in no way apply to the tax according to or measured by net income."

The amendment was adopted.

Mr. Keith offered the following amendment to the bill:

Amend House Bill No. 4, page 2, line 20, by striking therefrom the word "five" and inserting in lieu thereof the word "two".

Mr. Derden offered the following substitute for the amendment by Mr. Keith:

Amend House Bill No. 4, by striking out Section 2 and inserting in lieu thereof the following:

"Section 2. Imposition of Tax. Except as herein provided, every domestic corporation, heretofore or hereafter organized under the laws of this State, for the privilege of exercising its franchise in this State in a corporate or organized capacity; and every foreign corporation, heretofore or hereafter granted a permit to do business in this State, for the privilege of doing business in this State, shall, within four months of the expiration of its calendar or fiscal year, pay annually in advance to the Secretary of State for the year beginning four months after the expiration of its calendar or fiscal year a franchise tax according to or measured by its net income to be computed in the manner hereinafter provided at the rate of 2 per centum of a net income not exceeding \$2,500.00, 3 per centum on a net income of more than \$2,500.00 and not exceeding \$5,000.00, 4 per centum on a net income exceeding \$5,000.00 and not exceeding \$10,000.00 and 5 per centum on a net income exceeding \$10,000.00 as computed upon the basis of its net income for the next preceding calendar or fiscal year. The amount due shall never be less than the minimum tax as computed under Section 14 of this Act."

On motion of Mr. Keith, the substitute amendment was tabled.

Mr. Keefe offered the following substitute for the amendment by Mr. Keith:

Amend House Bill No. 4, page 2, line 20, by striking therefrom the word "five" and inserting in lieu thereof the word "three".

On motion of Mr. Keith, the substitute amendment was tabled.

Mr. McDonald offered the following substitute for the amendment by Mr. Keith:

Amend House Bill No. 4, Section 2, p. 2, line 20, by striking out the words "five per cent" and insert in lieu thereof the following: "one per cent upon the basis of its net income in excess of \$5,000.00 and two per cent upon the basis of its net income in excess of \$10,000.00, and three per cent upon the basis of its net income in excess of \$20,000.00."

On motion of Mr. McKinney, the substitute amendment was tabled.

Mr. Metcalfe offered the following substitute for the amendment by Mr. Keith:

Amend amendment, by striking out the words "two per cent" and insert "2½ %".

On motion of Mr. Keith, the substitute amendment was tabled.

Question recurring on the amendment by Mr. Keith, it was adopted.

Mr. Hanna moved that further consideration of House Bill No. 4 be postponed until 10:00 o'clock a. m., April 9, 1937.

Mr. Jones of Wise moved to table the motion to postpone.

The motion to table prevailed.

Mr. Prescott moved the previous question on the amendments on the Speaker's desk, and the passage of House Bill No. 4 to engrossment.

Mr. Morse raised a point of order, on further consideration of the motion by Mr. Prescott, on the ground that the main question can not be ordered on the amendments on the Speaker's desk, inasmuch as the amendments have no official standing before the House.

The Speaker sustained the point of order.

Mr. Keith offered the following amendment to the bill:

Amend House Bill No. 4, page 27, lines 31 and 32, by striking therefrom the words and figures: "Ninety Thou-

sand (\$90,000.00) Dollars", and inserting in lieu thereof the words and figures "Fifteen Thousand (\$15,000.00) Dollars".

Mr. Wood offered the following substitute for the amendment by Mr. Keith:

Amend House Bill No. 4, page 27, by striking out Section 25.

The substitute amendment was adopted.

Question recurring on the amendment, as substituted, yeas and nays were demanded.

The amendment, as substituted, was adopted by the following vote:

Yeas—67

Alsup	Little
Blankenship	Lucas
Bond	Mann
Boyer	McConnell
Bradbury	McCracken
Bridgers	McDonald
Carssow	McFarland
Celaya	McKinney
Colquitt	Monkhouse
Davison	Morse
of Eastland	Newton
Dickison	Nicholson
Dollins	Pope
Felty	Quinn
Gibson	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Harbin	Schuenemann
Hardin	Settle
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Hartzog	Shell
Heflin	Smith of Hopkins
Howard	Smith of Tarrant
Hull	Stevenson
Jackson	Stinson
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornton
Jones of Falls	Vale
Keith	Waggoner
Kenyon	Walker
Kern	Wood
Knetsch	Worley
Leonard	

Nays—62

Amos	Callan
Baker	Cathey
Bates	Cleveland
Beckworth	Davis of Jasper
Boethel	Davison of Fisher
Broadfoot	Deglandon
Brown	Derden
Burton	England

Fielden	Morris
Fox	Oliver
Fuchs	Palmer
Graves	Patterson of Mills
Hamilton	Patterson
Harrell	of Travis
Holland	Petsch
Huddleston	Powell
Hyder	Prescott
Jones of Angelina	Ragsdale
Jones of Wise	Rhodes
Keefe	Roark
Kelt	Ross
King	Russell
Lankford	Rutta
Leath	Simpson
Leyendecker	Skaggs
Loggins	Stocks
London	Talbert
Mauritz	Tarwater
Mays	Thornberry
McKee	Weldon
Metcalfe	Westbrook
Moffett	

Present—Not Voting

Herzik

Absent

Alexander	Farmer
Bradford	Harper
Cagle	Jones of Atascosa
Cauthorn	Lanning
Dean	Riddle

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

Mr. Gibson moved to reconsider the vote by which the amendment, as substituted, was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 4, page 2, by adding following Section 3, a new subsection to be appropriately numbered, to read as follows:

"All credit organizations as defined in Title 46 of the Revised Civil Statutes, including rural credit unions, mutual loan associations, co-operative credit associations, and farmers' co-operative societies, shall be exempt from all franchise taxes."

STINSON,
FIELDEN.

The amendment was adopted.

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 4, Section 3, by adding at the end thereof the following:

"Provided that all corporations paying a severance tax shall be allowed a deduction to the amount of the severance tax paid."

Mr. Jones of Wise moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—72

Alexander	Lanning
Alsup	Leonard
Blankenship	Little
Boyer	Mann
Bradford	McDonald
Bridgers	McFarland
Broadfoot	McKee
Carssow	McKinney
Cauthorn	Monkhouse
Celaya	Morse
Colquitt	Newton
Derden	Nicholson
Dickison	Petsch
Dollins	Pope
Farmer	Quinn
Felty	Reader
Fielden	Reed of Bowie
Gibson	Reed of Dallas
Hankamer	Riddle
Hanna	Schuenemann
Hardin	Settle
Harrell	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Smith of Hopkins
Heflin	Smith of Tarrant
Howard	Stevenson
Huddleston	Stinson
Hull	Tennant
Hyder	Tennyson
Jackson	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker
Keith	Wood
Kenyon	Worley
Knetsch	

Nays—60

Amos	Brown
Baker	Burton
Bates	Callan
Beckworth	Cathey
Boethel	Cleveland
Bradbury	Davis of Jasper

Davison of Fisher	Metcalf
Deglandon	Moffett
England	Morris
Fuchs	Oliver
Graves	Palmer
Hamilton	Patterson of Mills
Harbin	Patterson
Harper	of Travis
Herzik	Powell
Holland	Prescott
Jones of Angelina	Ragsdale
Jones of Falls	Rhodes
Jones of Wise	Roark
Keefe	Ross
Kelt	Russell
Kern	Rutta
King	Simpson
Lankford	Skaggs
Leyendecker	Stocks
Loggins	Talbert
London	Tarwater
Lucas	Thornberry
Mauritz	Weldon
Mays	Westbrook
McConnell	

Present—Not Voting

Dean	Jones of Atascosa
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Absent

Bond	Fox
Cagle	Leath
Davisson	McCracken
of Eastland	

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

PAIRED

Mr. Dean (present), who would vote "yea", with Mr. Bell (absent), who would vote "nay".

Mr. Jones of Atascosa (present), who would vote "yea", with Mr. Langdon (absent), who would vote "nay".

Mr. Hartzog moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—73

Alexander	Boyer
Alsup	Bradford
Blankenship	Bridgers

Carssow	Little
Cauthorn	Mann
Celaya	McDonald
Colquitt	McFarland
Dean	McKee
Derden	McKinney
Dickison	Monkhouse
Dollins	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Petsch
Gibson	Pope
Hankamer	Quinn
Hanna	Reader
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harris of Dallas	Riddle
Harris of Dickens	Russell
Hartzog	Schuenemann
Heflin	Settle
Howard	Sewell
Huddleston	Sharpe
Hull	Shell
Hyder	Smith of Tarrant
Jackson	Stevenson
Johnson of Ellis	Tarwater
Johnson	Tennant
of Tarrant	Tennyson
Keith	Thornton
Kenyon	Vale
Knetsch	Waggoner
Lanning	Walker
Leonard	Wood
Leyendecker	Worley

Nays—56

Amos	Lankford
Baker	Loggins
Bates	London
Beckworth	Lucas
Boethel	Mays
Bradbury	McConnell
Brown	Metcalf
Burton	Moffett
Callan	Morris
Cathey	Oliver
Cleveland	Palmer
Davis of Jasper	Patterson of Mills
Davison of Fisher	Patterson
Davisson	of Travis
of Eastland	Powell
Deglandon	Prescott
England	Ragsdale
Fuchs	Rhodes
Graves	Roark
Hamilton	Ross
Harper	Rutta
Herzik	Simpson
Holland	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Wise	Stocks
Keefe	Talbert
Kelt	Thornberry
Kern	Weldon
King	Westbrook

Absent

Bond	Jones of Falls
Broadfoot	Leath
Cagle	Mauritz
Fox	McCracken
Harrell	Stinson
Jones of Atascosa	

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

Mr. Keefe offered the following amendment to the bill:

Amend House Bill No. 4, by adding a new section to read as follows:

"All mutual fire insurance companies not operated for profit shall be exempt from the provisions of this Act."

The amendment was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 4, Section 27, near the end of said Section, by adding after the words "existing franchise tax law", and before the words "and providing that" the following: "this Act shall not, in any manner, affect the obligation for the payment of any taxes that have accrued and that are now due and owing under provisions of Chapter 4, Title 78, Revised Civil Statutes, 1925, and subsequent amendments, but the obligation, as now provided by law, for the payment of such taxes shall remain in full force and effect;"

The amendment was adopted.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 4, by adding a new paragraph at the end of Section 3 (a), as amended, to read as follows:

"The provisions of this Act shall not apply to foundations organized for charitable, educational and scientific purposes."

The amendment was adopted.

Mr. Keith offered the following amendment to the bill:

Amend House Bill No. 4, by striking from Section 24 thereof the following:

"To aid the Secretary of State in carrying out the provisions of this Act there is hereby created the office of

Franchise Tax Commissioner of Texas, who shall be appointed by the Secretary of State for a term of office co-extensive with the term of office of the Secretary of State. The Franchise Tax Commissioner, as herein created, shall draw an annual salary of not exceeding Five Thousand (\$5,000.00) Dollars."

The amendment was adopted.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 4, by adding to Section 4 another subsection to be properly numbered to read as follows:

"All corporations transporting persons, freight and all other commodities and merchandise, and whose activities and rates are regulated by and determined by a State regulatory agency are hereby expressly exempt from all provisions of this Act."

Mr. Jones of Wise moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Alexander	Keefe
Amos	Kelt
Baker	Kern
Bates	King
Beckworth	Knetsch
Boethel	Lankford
Bond	Lanning
Bradbury	Leath
Broadfoot	Leyendecker
Brown	Loggins
Burton	London
Callan	Lucas
Cathey	Mauritz
Cleveland	Mays
Davis of Jasper	McConnell
Davison of Fisher	Metcalfe
Deglandon	Moffett
Derden	Morris
Farmer	Oliver
Fielden	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Graves	of Travis
Hamilton	Petsch
Harbin	Powell
Hardin	Prescott
Harper	Quinn
Herzik	Ragsdale
Holland	Rhodes
Huddleston	Roark
Jones of Angelina	Ross
Jones of Wise	Russell

Rutta	Talbert
Simpson	Tarwater
Skaggs	Thornberry
Smith of Hopkins	Weldon
Smith of Tarrant	Westbrook
Stocks	Worley

Nays—58

Alsup	Mann
Blankenship	McCracken
Boyer	McDonald
Bradford	McFarland
Bridgers	McKee
Carssow	McKinney
Celaya	Monkhouse
Colquitt	Morse
Dickison	Newton
Dollins	Nicholson
Felty	Pope
Gibson	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Harrell	Riddle
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Hartzog	Sewell
Heflin	Sharpe
Howard	Shell
Hull	Stevenson
Hyder	Stinson
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornton
Jones of Falls	Vale
Keith	Waggoner
Kenyon	Walker
Leonard	Wood
Little	

Absent

Cagle	Dean
Cauthorn	England
Davisson	Jackson
of Eastland	Jones of Atascosa

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

Mr. Beckworth moved the previous question on the passage of House Bill No. 4 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Fox offered the following amendment to the bill:

Amend House Bill No. 4, by adding a new section immediately after Section 14 to be known as Section 15,

and renumbering the remaining sections of the bill accordingly, which said Section 15 shall read as follows:

"Sec. 15. In computing the minimum tax under Section 14 of this Act, in case of a building and loan association organized and operating wholly or partly on a mutual plan, and in arriving at the gross assets of any such building and loan association, the amount of outstanding withdrawable shares, the amount of indebtedness due to any Federal Home Loan Bank, and the amount of reserves for dividends and losses shall be deducted."

The amendment was adopted.

Mr. McCracken offered the following amendment to the bill:

Amend House Bill No. 4, by adding a new section as follows:

"All corporations incorporated under the laws of this State after the effective date of this Act shall be exempt from the provisions of this Act for a period of five (5) years from the date of their incorporation."

Mr. Jones of Wise moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—77

Alsup	Herzik
Amos	Holland
Baker	Huddleston
Beckworth	Jones of Angelina
Boethel	Jones of Wise
Bond	Keefe
Bradbury	Keith
Bridgers	Kelt
Broadfoot	Kern
Brown	King
Burton	Knetsch
Callan	Lankford
Cathey	Lanning
Cleveland	Leath
Davis of Jasper	Leyendecker
Davison of Fisher	Loggins
Davisson	London
of Eastland	Lucas
Deglandon	Mann
Derden	Mauritz
England	Mays
Farmer	McConnell
Fielden	Metcalfe
Fuchs	Moffett
Graves	Monkhouse
Hamilton	Morris
Harbin	Oliver
Harper	Palmer

Patterson of Mills	Simpson
Patterson	Skaggs
of Travis	Smith of Hopkins
Petsch	Smith of Tarrant
Powell	Stocks
Prescott	Talbert
Ragsdale	Tarwater
Rhodes	Thornberry
Roark	Weldon
Ross	Westbrook
Russell	Worley
Rutta	

Nays—58

Alexander	Leonard
Blankenship	Little
Boyer	McCracken
Bradford	McDonald
Cagle	McFarland
Carssow	McKee
Celaya	McKinney
Colquitt	Morse
Dean	Newton
Dickison	Nicholson
Dollins	Pope
Felty	Quinn
Fox	Reader
Gibson	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Riddle
Hardin	Schuenemann
Harrell	Settle
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Heflin	Shell
Howard	Stevenson
Hull	Stinson
Hyder	Tennant
Jackson	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker
Jones of Falls	Wood
Kenyon	

Present—Not Voting

Jones of Atascosa

Absent

Bates	Hartzog
Cauthorn	Tennyson

Absent—Excused

Adkins	James
Bell	Langdon
Davis of Haskell	Smith
Harris of Archer	of Matagorda
Hoskins	Winfree

PAIRED

Mr. Jones of Atascosa (present), who would vote "yea", with Mr. Langdon (absent), who would vote "nay".

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 4, by striking out all of Sections Two to Twenty-six, inclusive, and insert in lieu thereof the following:

Section 2. That Article 7084, Revised Civil Statutes, 1925, as amended by Section One of Chapter 265, Acts of the Regular Session of the Forty-second Legislature, be, and the same is hereby amended to read as follows:

"Article 7084. Amount of Tax. (a) Except as herein provided, every domestic and foreign corporation heretofore or hereafter chartered or authorized to do business in Texas, shall, on or before May 1st of each year, pay in advance to the Secretary of State a franchise tax for the year following, based upon that proportion of the outstanding capital stock, surplus and undivided profits, plus the amount of outstanding bonds, notes and debentures, other than those maturing in less than a year from date of issue, as the gross receipts from its business done in Texas bears to the total gross receipts of the corporation from its entire business, which tax shall be computed at the following rates for each One Thousand (\$1,000.00) Dollars or fractional part thereof: One (\$1.00) Dollar for each One Thousand (\$1,000.00) Dollars or fractional part thereof; provided, that such tax shall not be less than Ten (\$10.00) Dollars in the case of any corporation, including those without capital stock. Where a foreign corporation applying for a permit has theretofore done no business in Texas, such tax shall not be payable until the end of one year from the date of such permit, at which time the tax shall be computed according to first year's business; and, at the same time, such corporation shall also pay its tax in advance, based upon the first year's business, for the period from the end of the first year to and including May 1st following. In all other cases, the tax shall be computed from the data contained in the reports required by Articles 7087 and 7089. Capital stock as applied to corporations without capital stock shall mean the net assets.

"(b) Corporations which are now required by law to pay annually a tax upon intangible assets, corporations owning or operating street railways in or upon the public streets of any town or city, and corporations organized to maintain or owning or operating elec-

tric interurban railways, shall be required to hereafter pay a franchise tax equal to one-fifth ($1/5$) of the franchise tax herein imposed against all other corporations under Section (a) herein.

"(c) Provided, however, that this Act shall not apply to corporations organized as terminal companies not organized for profit, and having no income from the business done by them.

"(d) Except as provided in preceding clauses (b) and (c), all public utility corporations, which shall include every such corporation engaged solely in the business of a public utility whose rates or service is regulated, or subject to regulation in whole or in part, by law, shall pay a franchise tax as provided in this Act, except the same shall be based on that proportion of the issued and outstanding capital stock surplus, and undivided profits, which the gross receipts of the business of said corporation done in this State bears to its total gross receipts, instead of the gross assets; and in lieu of the rate hereinabove prescribed said tax shall be computed as follows:

One (\$1.00) Dollar to One Million (\$1,000,000.00) Dollars, sixty-five cents (65c) for each One Thousand (\$1,000.00) Dollars or fractional part thereof;

"Forty-five cents (45c) for each One Thousand (\$1,000.00) Dollars or fractional part thereof in excess of One Million (\$1,000,000.00) Dollars and not exceeding Ten Million (\$10,000,000.00) Dollars.

"And thirty-five cents (35c) for each One Thousand (\$1,000.00) Dollars or fractional part thereof in excess of Ten Million (\$10,000,000.00) Dollars.

"For the purpose of computing the tax of corporations issuing no par stock, such stock shall be taken and considered as being of the value actually received at the time of the issuance thereof; and foreign corporations issuing such stock shall furnish the Secretary of State with the same information now required of domestic corporations issuing such stock.

"(e) Corporations engaged partly in the business of a public utility as defined in clause (d) and partly in businesses embraced in clause (a) shall pay the franchise tax in the following manner; as to those businesses which come under clause (a) the tax shall be computed as provided in clause (a) on that proportion of the entire

taxable capital under said clause (a) as the Texas gross receipts from such business or businesses bear to the entire Texas gross receipts of such corporation; and to those businesses which come under clause (d) the tax shall be computed as provided in clause (d) on that proportion of the entire taxable capital under said clause (d) as the Texas gross receipts from such business or businesses bear to the entire Texas gross receipts of such corporation. The period for which such gross receipts are taken shall be the same period used in computing the proportion of Texas taxable capital under clause (a) and (d).

"(f) Corporations which are now required to pay a separate franchise tax for each purpose or business authorized by their charters, shall hereafter pay only the tax provided hereunder for one purpose, and one-fourth ($1/4$) of such amount for each additional purpose named in their charters."

Question—Shall the amendment by Mr. Stinson be adopted?

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 100, "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Pink Bollworm, under the provisions of Chapter 3, Title 4, Revised Civil Statutes of Texas, 1925, known as the Pink Bollworm law, and amendments thereto, and declaring an emergency."

H. B. No. 174, "An Act making an appropriation from the State Treasury for the preparation, checking, investigation, and correction of the scholastic census and for accounting and investigation necessary in the approval of transfers to the Census Division to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, printing, and

necessary traveling expenses incident thereto for the sum of Fifteen Thousand (\$15,000.00) Dollars for the year ending September first, 1937, etc., and declaring an emergency."

H. B. No. 268, "An Act making it unlawful to kill squirrels in Angelina and Tyler Counties, Texas, during the month of July; declaring it unlawful for any person to kill, take or have in his possession for purpose of sale any wild fox or the pelts thereof, providing that this law shall be in force for a period of two years; prescribing a penalty for the violation of the provisions of this Act; repealing all laws in conflict, and declaring an emergency."

H. C. R. No. 51, To memorialize Congress in regard to interest rate on Federal Land Bank Loans.

H. C. R. No. 63, Authorizing certain corrections in House Bill No. 268.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 418, to the Committee on Appropriations.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Ross:

H. B. No. 995, A bill to be entitled "An Act providing a closed season on quail and doves in Callahan and Eastland Counties, Texas, for a period of three (3) years; providing a penalty for the violation of the terms of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Talbert:

H. B. No. 996, A bill to be entitled "An Act providing relief for the Troup Independent School District of _____ County, Texas, made necessary by the fact that many additional students have enrolled in said school upon which the district receives no State apportionment; making an appropriation for said District to enable them

to cope with the situation, and declaring an emergency."

Referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 131, A bill to be entitled "An Act amending Article 1119 of the Revised Civil Statutes of Texas of 1925, so as to make its provisions apply to all incorporated cities or towns incorporated under the General Laws of the State of Texas, and declaring an emergency." (With amendments.)

Adopted

H. C. R. No. 64, Expressing appreciation to Mr. W. Lee O'Daniel.

Respectfully,

BOB BARKER,
Secretary of the Senate.

EXTENDING SYMPATHY TO HON. JOHN BELL

Mr. Newton offered the following resolution:

Whereas, Our fellow Member, the Honorable John Bell, is sick in the Seton Hospital; and

Whereas, We deeply regret his illness and sincerely miss his presence; now, therefore, be it

Resolved by the House of Representatives, That we extend to Mr. Bell our deepest sympathy and wish for him a speedy recovery; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send suitable flowers to our colleague; and, be it further

Resolved, That a copy of this resolution be forwarded, by the Chief Clerk, to Mr. Bell.

NEWTON,
KEEFE,
BURTON,
FELTY,
ROARK,
JONES of Wise,
SEWELL,
HERZIK,
DEAN,
METCALFE.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates,

Beckworth, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davison of Eastland, Deglandon, Derden, Dickison, Dollins, England, Farmer, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog Heflin, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Moffett, Monkhouse, Morris, Morse, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Ross, Russell, Rutta, Schuenemann, Settle, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Carssow, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

ADJOURNMENT

On motion of Mr. Bridgers, the House, at 4:50 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Liquor Traffic filed a favorable report on House Bill No. 785.

The Committee of Liquor Traffic filed an adverse report on House Bill No. 375.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 137, A bill to be entitled "An Act authorizing trustees of common school districts and common consolidated school districts to make contracts with superintendents and principals providing for the length of time of such employment, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 66, Granting Hon. A. S. Moss, District Judge of the 100th Judicial District, permission to leave the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 60, Requesting the Congress of the United States to pass legislation in some form enabling the states and their political subdivisions to tax oil, or other minerals which have been mined and stored above ground awaiting eventual movement in interstate commerce, on some fair basis, such as the value of the average daily amount of oil in storage within a political subdivision during the previous year.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 100, "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Pink Bollworm, under the provisions of Chapter 3, Title 4, Revised Civil Statutes of Texas, 1925, known as the Pink Bollworm Law, and amendments thereto, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 268, "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina and Tyler Counties any wild fox or the pelts thereof, providing that this law shall be in force for a period of two (2) years; providing various exceptions and exemptions; prescribing a penalty for the violation of the provisions of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 174, "An Act making appropriations to supplement previous appropriations out of the State Treasury for the preparation, checking, investigation and correction of the scholastic census and for accounting and investigation necessary in the approval of transfers to the Census Division of the State Department of Education, providing money for salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto for the sum of Five Thousand (\$5,000.00) Dollars for the year ending September 1, 1937, and to the State Commis-

sion for the Blind the sum of Eight Hundred (\$800.00) Dollars for freight on talking-book machines for the needy blind of Texas and for traveling expenses to be used by said Commission in certifying eligible blind persons for occupancy in Federal-owned buildings, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 51, That the Legislature of Texas go on record as approving the matters set forth in the H. R. No. 1546, and memorializing Congress to actively support such Resolution.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 15, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 63, Instructing the Enrolling Clerk of the House to make the caption of House Bill No. 268 conform to the body of the bill.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

THIRTY-EIGHTH DAY

(Tuesday, March 16, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Boyer
Alexander	Bradbury
Alsup	Bradford
Amos	Bridgers
Baker	Brown
Bates	Burton
Beckworth	Cagle
Blankenship	Callan
Boethel	Carssow
Bond	Cathey